

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TOWAKI KOMATSU,

Plaintiff,

-against-

THE CITY OF NEW YORK, et al.,

Defendant.

21-CV-11115 (LTS)

ORDER

LAURA TAYLOR SWAIN, Chief United States District Judge:

On February 25, 2022, Plaintiff submitted a notice of interlocutory appeal, seeking to appeal an unspecified order. Because the Court was unable to identify the order that Plaintiff sought to appeal, the Clerk of Court did not process the appeal when it was received. Subsequently, by order dated March 2, 2022, the Court granted Plaintiff 60 days' leave to file an amended complaint. (ECF 9.) After this order was issued, the Clerk of Court processed the interlocutory appeal as to the March 2, 2022, order. (ECF 10.) On March 7, 2022, the Clerk of Court transmitted the appeal record to the United States Court of Appeals for the Second Circuit. According to the public record for the Court of Appeals, Plaintiff's interlocutory appeal is pending. *See Komatsu v. City of New York*, No. 22-501 (2d Cir.).

Following the transmission of the appeal record to the Court of Appeals, Plaintiff submitted five letters in this action seeking various forms of relief: (1) reconsideration of the March 2, 2022 order to amend (ECF 11); (2) removal of a pending Bronx Housing Court matter to this court (ECF 12); (3) a "follow-up" letter regarding the first two requests (ECF 13); (4) an order regarding the treatment of Plaintiff by the U.S. Marshals Service and federal court security officers when Plaintiff enters this courthouse (ECF 14); and (5) a request for intervention by this Court regarding the treatment he receives when he enters the courthouse (ECF 15).

In light of Plaintiff's pending interlocutory appeal, the Court declines to rule on the relief Plaintiff seeks in his five letters. After the Court of Appeals has acted on Plaintiff's interlocutory appeal and the action is transmitted back to the district court, this Court will issue an order addressing Plaintiff's requests for relief.

SO ORDERED.

Dated: May 2, 2022
New York, New York

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
Chief United States District Judge